

1 Honorable Richard A. Jones
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7 UNITED STATES DISTRICT COURT
8 FOR THE WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 ERIC MILLER, an individual; and
11 VIDBOTZ, LLC, a Washington limited
liability company,

12 Plaintiffs,

13 v.

14 DEVIN NORRIS, an individual; and JUNE
15 BUG LABS, LLC, a Delaware limited liability
company,

16 Defendants.

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18 No. 2:19-cv-01638-RAJ

19 STIPULATION AND [PROPOSED] ORDER
20 EXTENDING TIME FOR RESPONSIVE
21 PLEADING

22 *Noted for Consideration:*
23 October 17, 2019

24 STIPULATION

25 The parties, by and through their attorneys of record, stipulate to entry of the proposed
26 Order set forth below, extending the time for Devin Norris and June Bug Labs, LLC
("Defendants") to respond to Plaintiffs' Emergency Motion for a Temporary Restraining Order
("TRO Motion"). In support of this request, the parties represent the following to the Court:

27 1. Plaintiffs Eric Miller and Vidbotz, LLC ("Plaintiffs") filed their Complaint in
28 this action on October 14, 2019 (Dkt #1), and then filed an Emergency Motion for Temporary
29 Restraining Order on October 15, 2019. Dkt. #3. Defendants notified this Court of their intent
30 to file an Opposition to Plaintiffs' TRO Motion on October 16, 2019. Dkt. #11.

31 STIPULATION AND [PROPOSED] ORDER EXTENDING TIME
32 FOR RESPONSIVE PLEADING (2:19-cv-01638-RAJ) - 1

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2. Local Rule 65(b)(5) provides that, unless the Court orders otherwise, Defendants' Opposition to Plaintiffs' TRO motion would be due within 48 hours after the motion is served. Moreover, Federal Rule of Civil Procedure 12(a)(1)(A) makes Defendants' responsive pleading due within 21 days after being served with the Summons and Complaint.

3. Defendants' undersigned counsel has agreed on behalf of the Defendants to accept service of the Complaint and TRO Motion. However, because of professional commitments, Defendants' counsel requested that Plaintiffs' counsel stipulate to allow Defendants additional time to file their Opposition to the TRO Motion and, in the interest of efficiency, allow the responsive pleading to be filed after the Court rules on the TRO Motion. Plaintiffs' counsel has no objection to these requests. For avoidance of doubt, Defendants do not waive and hereby preserve all defenses under Rule 12.

4. Based on the foregoing, and subject to the Court's approval, the parties have agreed to the following briefing schedule: (a) Defendants will file their Opposition to Plaintiffs' TRO Motion on or before *Thursday, October 24, 2019*; and (b) Defendants will file their responsive pleading to the Complaint no later than *seven (7) days* from entry of the Court's Order on Plaintiffs' TRO Motion. The parties are separately conferring about a date for a hearing on the TRO Motion.

ORDER

IT IS SO ORDERED.

The parties shall adhere to the briefing schedule set forth above.

DATED this 12th day of October, 2019.

RICHARD A. JONES
United States District Court Judge

STIPULATION AND [PROPOSED] ORDER EXTENDING TIME
FOR RESPONSIVE PLEADING (2:19-cv-01638-RAJ) - 2

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